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10/016,719	12/10/2001	Ralf Allner	81392LPK	4453

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EXAMINER	
SICONOLFI, ROBERT	
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Please find below and/or attached an Office communication concerning this application or proceeding.

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 20040402

Application Number: 10/016,719
Filing Date: December 10, 2001
Appellant(s): ALLNER ET AL.

Lawrence P. Kessler
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/13/2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The appellant's statement in the brief that certain claims do not stand or fall together is not agreed with because the claims are not separately patentable. Instant claim 1 discloses a low friction bearing. Claim 7 discloses a ball bearing which is a well known type of low friction bearing.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

4,326,643	Bayne et al	4-1982
5,331,861	Joffe	7-1994

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1,2,4-11, and 13 are rejected under 35 U.S.C. 103. This rejection is set forth in prior Office Action, Paper No. 20030905.

(11) Response to Argument

Appellant argues that the examiner's rejection of the use of multiple spindles based on the duplication of parts is improper. Appellant admits that the use of multiple spindles distributes the load of the platform but that does not prevent binding. The examiner disagrees. Binding is largely a result of the load placed on the spindle. Furthermore, the appellant argues that use of multiple spindles leads to the problem spindle binding. Spindle binding is largely eliminated by driving the spindles at the same speed. One of ordinary skill in the art would have known to drive the spindles at the same speeds because the platform must be kept level in order to distribute the tickets properly. Furthermore, the appellant's solution to the problem of spindle binding is the use of low friction bearings. However, Bayne et al discloses a low friction bearing device (floating nut 31) which the appellant admits to on page 9 line 23 of the Brief. Therefore, duplication of the drive spindle system of Bayne et al would solve the problem that is proposed by the Appellant. The examiner disagrees with the appellant's

characterization of the absence of binding as unexpected since the instant invention uses the same solution presented in the prior art.

Appellant further argues that the combination with Joffe is improper since Bayne et al already has a low friction bearing device. Bayne et al does not, however, disclose the details of the low friction bearing. Joffe teaches the use of ball bearings on a spindle drive for the same function as the low friction bearing of Bayne et al (allowing for movement of the spindle). Furthermore, ball bearings are a well known type of bearing that have advantages such as reduced wear and greater load capacity verses other types such as a bushing type bearing.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,
Robert A. Siconolfi 8/2/04
Robert A. Siconolfi
Examiner
Art Unit 3683

RS
April 2, 2004

Conferees
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